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10 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11
12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 MICHAEL ARTHUR ROGERS,
16 Defendant.

CR 10-00042 SBA

STIPULATION TO CONTINUANCE
AND EXCLUSION OF TIME UNDER
THE SPEEDY TRIAL ACT, 18 U.S.C. §
3161 ET. SEQ.; [PROPOSED] ORDER

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18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status
19 hearing date of February 16, 2011 at 9:30 a.m., be vacated and re-set for March 2, 2011 at 9:30 a.m.,
20 before the Oakland Duty Magistrate, for status hearing.

21 The reason for this request is that Ellen Leonida, the undersigned Assistant Federal Public
22 Defender, is conducting investigation in this matter which cannot be completed prior to the
23 currently scheduled hearing date.

24 The parties agree and stipulate that the time until March 2, 2011 should be excluded, under 18
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2 U.S.C. §3161(h)(7)(A) because the ends of justice served by the granting of the continuance
3 outweigh the bests interests of the public and the defendant in a speedy and public trial. The
4 continuance is necessary to accommodate counsel's preparation efforts.

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6 Date: February 14, 2011

/s/
7 Ellen V. Leonida
8 Assistant Federal Public Defender
9 Counsel for defendant MICHAEL ROGERS

10 Date: February 14, 2011

/s/
11 Trevor L. Rusin
12 Assistant United States Attorney

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)
13 within this e-filed document.

/S/ Ellen V. Leonida

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ORDER

3 The court finds that the ends of justice served by the granting of the continuance outweigh
4 the bests interests of the public and the defendant in a speedy and public trial. The continuance is
5 necessary to accommodate counsel's preparation efforts and continuity of counsel. Based on these
6 findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to March 2,
7 2011 at 9:30 a.m., before the Oakland Duty Magistrate, and that time is excluded until March 2,
8 2011 pursuant to 18 U.S.C. § 3161(h)(7)(a).

IT IS SO ORDERED.

12 | February 16, 2011
Date

L.B.

LAUREL BEELER
UNITED STATES MAGISTRATE JUDGE